

REMARKS

Claims 1-4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Einola et al (US patent 6,438,370) in view of Mazur et al. (US Patent 6,580,910).

The applicant strongly disagrees with this rejection. However, without prejudice to applicant's right to contest the Examiner's arguments, the applicant believes there is no need to do so. It is noted that **the invention of the present application and Einola et al. were, at the time the invention of the present application was made, 100% owned by the same organization.** Therefore, according to 35 U.S.C. 103(c) and the MPEP regulations paragraph 706.02(1)(2)I, the reference of Einola et al. quoted by the Examiner cannot be considered as prior art for the present invention which obviates 103(a) rejection.

Withdrawal of the 35 U.S.C. 103(a) rejection of claims 1-4 is requested.

The rejections of the Official Action of September 25, 2003, having been shown to be inapplicable, withdrawal thereof is requested, and passage of the claims to issue is earnestly solicited.

Respectfully submitted,

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